

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMARION TRAMMEL,

Plaintiff,

v.

A. RAMOS, et al.,

Defendants.

No. 2:23-cv-1111 KJM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, has filed motions for discovery and summary judgment. ECF Nos. 19, 20. However, although the court has ordered service on defendants through the e-service program (ECF No. 14), service has yet to be waived or completed. Plaintiff's motions for discovery and summary judgment are therefore premature. A discovery and scheduling order that sets the schedule for discovery and dispositive motions in this case will issue after defendants answer the complaint. Plaintiff's motion for summary judgment is also procedurally defective because it does not comply with the requirements of Federal Rule of Civil Procedure 56 or Local Rule 260.

Accordingly, IT IS HEREBY ORDERED that:


1. Plaintiff's motion for discovery (ECF No. 19) is DENIED as premature; and

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2. Plaintiff's motion for summary judgment (ECF No. 20) is DENIED as premature and without prejudice to a motion in the proper form.

DATED: November 7, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE